

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

IN RE:	)	
	)	
HEARTLAND MEMORIAL HOSPITAL, LLC	)	CASE NO. 07-20188 JPK
and Robert Handler,	)	Chapter 11
Debtor.	)	
*****	)	
DAVID ABRAMS, not individually but solely	)	
as the Liquidating Trustee and court-	)	
appointed manager of Heartland Memorial	)	
Hospital, LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	ADVERSARY NO. 09-2068
	)	
HAROLD E. COLLINS, KAREN BRIGGS,	)	
MARK EFRUSY, VIJAY GUPTA, RAMON	)	
HALUM, ALLEN HILL, HILTON HUDSON,	)	
PAUL JONES, JOHN KNIAZ, SHAUN	)	
KONDAMURI, RANDALL C. MORGAN,	)	
JR., JAGDISH PATEL, VIJAY PATEL,	)	
DAVID RAY, ALFRED SHARP, JEFFREY	)	
YESSENOW, WRIGHT CAPITAL	)	
PARTNERS, LLC, and LEROY J. WRIGHT	)	
	)	
Defendants.	)	

ORDER CONCERNING MOTION TO STAY ADVERSARY  
PROCEEDING SOLELY AS TO HAROLD COLLINS ("MOTION")

The Motion was filed by the plaintiff ("Abrams") on August 13, 2009 (record #10). The defendant Harold E. Collins filed a document entitled to "Objection to Motion to Stay and Motion to Dismiss" on November 10, 2009 (record #31). Pursuant to the court's order entered on October 27, 2010 (record #129), an oral argument was held before the court on the Motion and Collins' objection on December 2, 2010.

The Motion seeks to stay proceedings in this adversary proceeding against the defendant Harold E. Collins due to the pendency of a potentially parallel action against the defendant in case number 2009 L 02543 in the Circuit Court of Cook County, Illinois, County

Department, Law Division.

The court is aware that significant proceedings have occurred in the foregoing state court case, which at this time have resulted in dismissal with prejudice of Abrams' complaint filed against Collins in that action. That order of dismissal is subject to a motion for reconsideration filed by Abrams in that case, and collaterally, Abrams has filed a motion for the court to construe the order of confirmation of the plan of liquidation in Heartland Memorial Hospital, LLC (case number 07-20188) with respect to the extent to which a state court may exercise jurisdiction over litigation "related to" the bankruptcy case. It may be that the state court will reverse its decision of dismissal, and it may be that the state court will not reverse its decision of dismissal. At this juncture, however, there is this pending adversary proceeding with respect to Harold E. Collins and there is an order of dismissal of the state court case with respect to Harold E. Collins: This is the only active case pending at this time.

Harold Collins has objected to the Motion, and Harold Collins wins this one.

IT IS ORDERED that the Motion is denied.

Dated at Hammond, Indiana on June 9, 2011.

/s/ J. Philip Klingeberger  
J. Philip Klingeberger, Judge  
United States Bankruptcy Court

Distribution:  
Attorneys of Record